

REMARKS/ARGUMENTS

First, to Examiner MENDIRATTA, thanks is offered for the informal telephone conference of July 27, 2005 regarding this application and amendment. Much appreciation is given for the time and comments he shared with this attorney.

The Examiner's comments were considered and provided some basis for the revision to the claims. First, in consideration to reference to a non-patentable human in claim 1 and 7, this was changed to a means clause for use with animate and inanimate evaluation and monitoring means. This should eliminate the statutory prohibition cited by the Examiner.

Next, it is important to recall that this Social Skill Builder game is an inherent behavioral development device for disabled persons with Autism, Asperger's Syndrome, Downs Syndrome and other disabilities. This non-competitive action game permits interaction and improvement for social behavioral development.

Consideration as to any similarity to the referenced Bolach patent (US 4,003,577) and Carrera patent (US 4,273,227) needs to be addressed. Bolach ('577) is a competitive game whereas the Farmer game is strictly developmental. The only true similarities are the use of an essentially square playing surface, an advancement means by chance, and playing cards. For the Farmer invention, each player stops and individually reacts to the card. Hence the opportunity to review, instruct and direct behavior. The Bolach ('577) instead collects cards and advances with a competitive spirit to

gather and win the cards as compared to reflect on a card, demonstrate a reaction and provide an opportunity for review. Farmer's developmental game is not competitive and may be played by a single player at times.

The Carrera('227) patent alone or in view of Bolach ('577) does not anticipate Farmer's developmental game. First, Carrera is directed to family activities and second, it is directed to sex education, which traverses across the entire population, not just persons with Autism, Asperger's Syndrome, Downs Syndrome and other disabilities. While the Carrera('227) utilizes card decks and discussions, there are no activities or personal reflections involved as specified with the Farmer development game. Therefore, the anticipation of Farmer from Bolach ('577) and Carrera('227) in view of Bolach ('577) or on its own is unlikely for one skilled in the art of developmental board games.

As to a U.S.C. obviousness rejection, one must consider the narrow field of development and the extreme importance to advancing any development for persons afflicted with Autism, Asperger's Syndrome, Downs Syndrome and other disabilities. Just as important to note is that Farmer, herself a clinical psychologist, has had excellent results with the behavioral game with afflicted persons. In addition, she has had commercial success at producing and selling these devices across the country to other professionals in the field of helping persons with Autism, Asperger's Syndrome, Downs Syndrome and other disabilities.

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Considering all this, the Claims 1, 2, 3, 5, 6, and 7 have been amended accordingly and claim 4 has been cancelled. A new claim 8 has been added with a more narrow scope than the original seven.

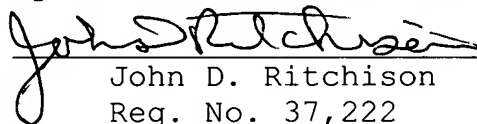
In view of the examiner's earlier comments in conjunction with these amended claims and remarks, above, applicant respectfully requests the right to retain the right to present additional claims and amendments, if necessary and prudent, as this prosecution continues.

Respectfully and considerate of all the examiner's comments, this applicant Farmer's requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted for

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